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Provisional summary record of the 39th meeting
Held at Headquarters, New York, on Thursday, 25 July 2002, at 10 a.m.

President: Mr. Rosenthal (Vice-President) ..... (Guatemala)

Contents

Social and human rights questions (*continued*)

(g) Human rights (*continued*)

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02-49733 (E)

In the absence of Mr. Šimonović (Croatia), Mr. Rosenthal (Guatemala), Vice-President, took the Chair.

The meeting was called to order at 10.20 a.m.

Social and human rights questions (*continued*)

(g) Human rights (*continued*) (E/2002/23, Parts I and II; E/2002/L.24)

1. **The President** drew attention to the draft decisions contained in chapter I, section B, of the report of the Commission on Human Rights on its fifty-eighth session (E/2002/23, Part I) and explained that Part II of the report contained an account of the action that had been taken on all draft proposals before the Commission. He also drew attention to the note by the Secretariat (E/2002/L.24) setting forth the programme budget implications of the proposals before the Council.

Draft decision 1

2. **The President** invited the Council to take action on draft decision 1, entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

3. **Ms. Serwer** (United States of America), speaking in explanation of vote before the voting, said that her delegation considered the resolution on which the draft decision was based (Commission resolution 2002/8) one-sided, unfair and unwise. It expressed unqualified support for a Palestinian right of resistance, implicitly endorsing the use of violence against civilians. It criticized Israel at length for alleged violations but ignored ongoing Palestinian terrorist attacks and the Palestinian Authority's responsibility to stop violence and incitement. Many human rights abuses were rooted in the ongoing Israeli-Palestinian conflict. The United States was actively working with the region's leaders and others in the international community to realize the vision of two States, Israel and Palestine, living side by side in peace and security. Adoption of the draft decision would do nothing to improve the human rights situation in the region, but would make it harder to restore trust and confidence in the region and bring the parties together. Her delegation urged the members of the Council instead to support constructive diplomatic efforts.

4. *At the request of the representative of the United States of America, a recorded vote was taken.*

In favour:

Angola, Argentina, Bahrain, Benin, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Cuba, Egypt, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Pakistan, Qatar, Republic of Korea, Russian Federation, South Africa, Sudan, Suriname, Uganda, Ukraine, Zimbabwe.

Against:

Australia, United States of America.

Abstaining:

Andorra, Austria, Croatia, Finland, France, Georgia, Germany, Hungary, Italy, Japan, Malta, Netherlands, Peru, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

5. *Draft decision 1 was adopted by 27 votes to 2, with 17 abstentions.*

6. **Mr. Chuquihuara** (Peru) said that his delegation had abstained from voting because the resolution on which the decision was based expressed political interpretations that went beyond human rights questions. Protection of human rights was an international obligation that should be fulfilled without selectivity. His delegation categorically condemned all human rights violations in the area, regardless of the nationality or origin of the victims, and all violations of international humanitarian law, regardless of the force that committed them. It was deeply concerned about recent events, but nonetheless believed that acts of terrorism against civilians could not be justified on any grounds and were incompatible with the search for a fair negotiated settlement in conformity with Security Council resolutions 242 (1967) and 338 (1973).

Draft decision 2

7. **The President** invited the Council to take action on draft decision 2, entitled "Human rights situation of Lebanese detainees in Israel".

8. **Ms. Serwer** (United States of America), speaking in explanation of vote before the voting, said that her delegation strongly opposed the draft decision because the resolution on which it was based (Commission resolution 2002/10) was unbalanced and would not advance the cause of peace or help to reduce tension in the region. It condemned Israeli breaches of Lebanese territory while ignoring breaches of the withdrawal line

committed by Hezbollah. Nor did it mention that Lebanon, although it had increased the strength of its security forces in southern Lebanon, had so far failed to restore its effective authority there. The resolution also neglected to mention the positive steps the Government of Israel had already taken, such as allowing the International Committee of the Red Cross access to Lebanese prisoners. Moreover, contrary to assertions in the resolution, Israel had in fact provided maps of landmine fields to the United Nations Interim Force in Lebanon, as the Secretary-General's reports indicated.

9. *At the request of the representative of the United States of America, a recorded vote was taken.*

In favour:

Argentina, Bahrain, Benin, Bhutan, Burkina Faso, Burundi, Chile, China, Costa Rica, Cuba, Egypt, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Pakistan, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Ukraine, Zimbabwe.

Against:

United States of America.

Abstaining:

Andorra, Angola, Australia, Austria, Croatia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Hungary, Italy, Japan, Malta, Netherlands, Peru, Republic of Korea, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

10. *Draft decision 2 was adopted by 25 votes to 1, with 22 abstentions.*

11. **Mr. Blazey** (Australia) said that his delegation had abstained from voting because it felt that the resolution on which the decision was based was unbalanced and extreme, especially in the third, fifth and eighth preambular paragraphs, and did not contribute to the cause of peace. Australia called upon the parties to negotiate and to allow access to detainees by relevant international authorities.

Draft decisions 3, 4, 5 and 6

12. **The President** invited the Council to take action on: draft decision 3, entitled "Assistance to Equatorial Guinea in the field of human rights"; draft decision 4, entitled "Situation of human rights in Burundi"; draft decision 5, entitled "Situation of human rights in parts of south-eastern Europe"; and draft decision 6, entitled "Situation of human rights in the Democratic Republic of the Congo".

13. *Draft decisions 3, 4, 5 and 6 were adopted.*

Draft decision 7

14. **The President** invited the Council to take action on draft decision 7, entitled "Situation of human rights in Iraq".

15. **Mr. Ahmed** (Observer for Iraq), speaking in explanation of position, said that Commission on Human Rights resolution 2002/15, on which draft decision 7 was based, had been submitted by countries of the European Union and was similar to previous such resolutions in that it was selective and politically motivated, lacked objectivity and contained language of confrontation rather than dialogue. The sponsors of the resolution had dealt solely with the human rights situation, ignoring the economic blockade and the attacks which Iraq had endured for more than 11 years. If the sponsors had really been committed to human rights in Iraq, they would have approached the matter objectively and from a humanitarian point of view, referring candidly to the atrocities being committed against his country, and would have demanded an end to the blockade.

16. The only difference between the resolution under consideration and those of earlier years was the reference to the visit by the Special Rapporteur to Iraq the previous February. However, no account had been taken of the positive discussions that had taken place with the Special Rapporteur; instead, there was a repetition of the allegations made by those who were hostile to Iraq, supported by the United States and the United Kingdom. The Iraqi authorities remained convinced that the report of the Special Rapporteur did not adequately reflect the answers that had been given to his questions by Iraqi officials and felt it unfortunate that the resolution had ignored the objective discussions between Iraqi officials and the Special Rapporteur and Iraq's cooperation with him.

17. The resolution repeated the standard allegations concerning human rights but ignored what had been said by the Special Rapporteur in his report about the serious humanitarian situation in Iraq brought about by the economic blockade, which had caused the death of over 1.6 million Iraqi citizens, the majority of them

children and women. The reports of international organizations had described the situation as being a crime of mass extermination.

18. His delegation wished to draw attention, in particular, to the selective references in the resolution to the concluding observations of various treaty monitoring bodies on the basis of reports submitted to them by Iraq which drew attention to the supposed existence of a wide range of human rights problems in Iraq. He pointed out that the paragraph in question was inaccurate in that the treaty monitoring bodies had emphasized that the economic sanctions imposed on Iraq adversely affected its compliance with the relevant international treaties and had drawn attention to the increasing incidence of malnutrition and maternal and child mortality as a result of the shortage of medicines and foodstuffs.

19. It was regrettable that the same allegations were repeated year after year concerning the condition of minorities. The resolution called on the Government of Iraq to respect the rights of all ethnic and religious groups. His delegation pointed out in that connection that the Special Rapporteur had said that freedom of religion in Iraq was guaranteed to all. The Constitution and national legislation relating to the rights of the Kurds and other minorities guaranteed their enjoyment of all legal rights, and in fact they had established their own legislative, executive, economic and cultural institutions.

20. His delegation rejected the call in the resolution for the stationing of human rights monitors throughout Iraq, considering that that would be a political measure intended to impair the sovereignty of the State and interfere in its internal affairs under the pretext of protecting human rights. The promotion of human rights required the establishment of a climate of security, stability and peace and the exercise by the State of all its responsibilities, particularly its sovereignty over its natural resources, in order to ensure a normal life for its citizens. It was also necessary that there should be no interference in its internal affairs, or with its territorial integrity.

21. His delegation considered that dialogue and cooperation between members of the international community were the only proper way to ensure the promotion of human rights throughout the world. The submission of politically motivated and selective resolutions targeting certain States, including Iraq, was itself a flagrant violation of human rights. His delegation had hoped that the outcome of the first visit made by the Special Rapporteur to Iraq would have been reflected in the resolution, thereby encouraging further cooperation between the parties involved and being conducive to human rights. His delegation had also hoped for a resolution that was more objective and balanced in dealing with the human rights issue in Iraq and that took into account the impact of the blockade and the military aggression by the United States and the United Kingdom as well as the impact on health and the environment of the use of depleted uranium munitions. His delegation called on the States of the European Union to break their silence concerning the deterioration in the humanitarian situation in Iraq caused by the blockade and the attacks and to cease to address the question of human rights in Iraq in a biased, partial and politically tendentious manner.

22. **Mr. Gzilal** (Libyan Arab Jamahiriya) said that his delegation opposed the draft decision. The resolution on which the draft decision was based (Commission resolution 2002/15) aimed at marginalizing a country rich in natural and human resources. The resolution failed to mention that the decade-long embargo against Iraq had jeopardized the economic, cultural and political rights of the Iraqi people, chief among them the right to life, health and development. The text was unbalanced and failed to reflect the serious discussions which had taken place between the Government of Iraq and the Special Rapporteur. It undermined national sovereignty and constituted interference in the internal affairs of Iraq. His delegation called upon its brothers in Iraq and Kuwait to resolve their differences and put an end to the plight of the Kuwaiti prisoners, to remove any pretext for foreign interference.

23. **Mr. Rodríguez Parrilla** (Cuba) said that his delegation had abstained from voting on the underlying Commission resolution because it constituted a serious interference in Iraq's domestic affairs and failed to mention the effects of the prolonged sanctions on the human rights situation in Iraq. It therefore could not join in the consensus on the draft decision.

24. *Draft decision 7 was adopted.*

Draft decision 8

25. **Mr. Erwa** (Sudan), speaking in explanation of position, said that Commission on Human Rights resolution 2002/16, entitled "Situation of human rights

in the Sudan" and contained in document E/2002/23 (Part I), had been submitted by countries of the European Union and was prejudiced against his Government. It took the side of the rebel movement in the Sudan. Certain paragraphs of the resolution impaired the sovereignty of his country and its right to dispose freely of its natural resources. His delegation had no intention of refuting in detail the unfounded allegations contained in the resolution. Those allegations had been addressed at a meeting of the African Group in Geneva under the chairmanship of the delegation of Nigeria, which had spoken on behalf of the Sudan. He felt it was important, however, to inform the Council of the efforts made by the African Group to deal with the repetitive language of the draft resolution, which had remained unchanged in recent years in spite of the efforts of his Government to rebut the politically motivated allegations made against his country. The African Group in Geneva had submitted to the delegation representing the European Union a chairman's statement on the situation in the Sudan for consideration under item 19 concerning advisory services and technical cooperation in the field of human rights. The statement had been submitted to the delegation of the European Union on 6 March 2002 but, to the surprise of the African Group, the European Union had made no comment on it and six weeks later, without any consultation or contact with the African Group or with the delegation of the Sudan, had submitted the resolution that was currently before the Council. Accordingly, the African Group had taken the view that the resolution only expressed the point of view of the European Union countries and the other sponsors. Consequently, the African Group and the States members of the Organization of the Islamic Conference had requested an immediate vote on the draft resolution, as a result of which the resolution had been approved by a margin of only one vote.

26. His delegation's purpose in providing those details was to reaffirm that the best means of addressing the human rights situation in any country was through dialogue, cooperation and the provision of assistance rather than through confrontation and accusations. His delegation categorically rejected selectivity, double standards and politicization in dealing with human rights issues and was convinced that there was no State in the world in which human rights violations never occurred. The report of the Commission on Human Rights on its fifty-eighth session reflected the increasing tendency to reject confrontation with particular States by means of resolutions criticizing the situation of human rights in those States. The Commission had voted against a number of draft resolutions and his delegation was convinced that the tendency to reject selectivity and the politicization of human rights issues would become more widespread until such time as the countries sponsoring such resolutions adopted an approach based on objectivity, cooperation and dialogue.

27. The Sudan had made substantial progress in the political and economic fields and in human rights. It continued to strive to achieve more despite the numerous obstacles which it faced in common with other developing countries, particularly the least developed. His delegation wished to draw particular attention to the efforts made by his Government to bring about a lasting peace and put an end to the sufferings of its citizens as a result of the war in the south of the country. He was pleased to announce that those efforts had been successful with the signing on 20 July 2002 of a peace agreement between the Government and the Sudan People's Liberation Movement which laid the basis for a comprehensive and just solution to the conflict between the two parties, an agreement which had been welcomed by the Secretary-General and by the international community as a courageous step towards the achievement of a lasting peace in the Sudan. The signing of the agreement would undoubtedly have a positive impact on the situation of human rights in the Sudan, and it was to be hoped that the negotiations that were scheduled to take place in August 2002 would bring peace to that country with the support of the international community.

28. Accordingly, his delegation dissociated itself from the consensus concerning the resolution and invited other delegations to do likewise.

29. **Ms. Khalil** (Egypt), said that the draft decision on the situation of human rights in the Sudan before the Council had failed to reflect the country's reform initiatives in the field of human rights, and its commitment to cooperating with the international community. Her delegation took the firm view that human rights were better promoted through cooperation rather than through accusation or the advancement of a single point of view. In overlooking the initiative undertaken by Nigeria at the fifty-eighth session of the Commission on Human Rights, the European Union seemed to have indicated that it did

not want to consider other opinions. Her delegation wished to dissociate itself from the draft decision.

30. **Mr. Alaei** (Islamic Republic of Iran) said that, in keeping with the principled position it had often reiterated in connection with resolutions on country situations, his delegation was not in a position to support the draft decision on the situation of human rights in the Sudan. The mechanisms for monitoring human-rights situations in different parts of the world suffered from a major flaw in that they were susceptible to manipulation, with the result that human-rights values could be sacrificed to national interests. Resolution 2002/16 of the Commission on Human Rights concerning the Sudan had been no exception to that painful reality. Any international human-rights initiative should be underpinned by a spirit of cooperation and dialogue rather than by measures contrary to creativity and encouragement in that field.

31. There had been considerable developments in domestic governance in the Sudan, promoting long-term prosperity. Moreover, the Sudanese Government had recently finalized and signed an agreement with the rebel movement in the south of the country with a view to bringing about a just and lasting peace, for the sake of human progress and prosperity for all the population. The constructive steps taken to promote peace, development and human rights demonstrated the Government's political will and commitment to fulfilling its domestic obligations and international commitments. It was for that reason that the uniform position of the African Group at the Commission on Human Rights in Geneva had been to urge that the issue of human rights in the Sudan should be considered under item 19 of the Commission's agenda (Advisory services and technical cooperation in the field of human rights). Unfortunately, the African Group's approach had been rejected, and the resolution had been adopted by a margin of one vote, under item 9 of the Commission's agenda (Question of the violation of human rights and fundamental freedoms in any part of the world). The way in which the human-rights situation in the Sudan was being viewed was a clear example of the phenomenon he had already described: bias and the pursuit of political interests in the field of human rights. Accordingly, his delegation wished to dissociate itself from the consensus on the draft decision on the situation of human rights in the Sudan which was before the Council.

32. **Mr. Rodríguez Parrilla** (Cuba) said that his delegation did not wish to join the consensus on the draft decision, given that the moves against the Sudan in the field of human rights were a clear example of selective manipulation of the human-rights mechanisms of the United Nations for political ends and ran counter to protecting and promoting human rights throughout the world. That continuing punitive slant was an obstacle to international cooperation in human rights.

33. **Mr. Xie** Bohua (China) said that the Sudan was a least-developed country which, in order to protect and promote the human rights and fundamental freedoms of its people, had taken steps to develop its economy and safeguard its social stability. It had achieved positive results. The recent peace accord was also a welcome development. After years of chaos and war, the Sudan needed to begin rebuilding, and it faced many difficulties in human rights. The international community should show understanding of that situation and should provide assistance and constructive support rather than adopting resolutions which politicized the issue of human rights and ran counter to the spirit of international cooperation in that field. Such an approach did not help to resolve the issue. His delegation understood and supported the position of the delegation of the Sudan, and it did not wish to join the consensus on the draft decision.

34. **Mr. Gzilal** (Libyan Arab Jamahiriya) said that his delegation supported the positive approach to human rights set out in the statement of the delegation of the Sudan, an approach which had been endorsed by the African, Arab and Islamic countries at the fifty-eighth session of the Commission on Human Rights. The Sudan had made continuing efforts to guarantee respect for human rights and to cooperate with the Commission. Certain European Union countries had, however, preferred to condemn the Sudan when they would have been better advised to encourage it. The draft decision was proof of the selective approach adopted. His delegation urged those countries which had engaged in condemnation to try dialogue instead, which had been shown to be the best means of settling human-rights issues and promoting good relations among States. His delegation was unable to join the consensus on the draft decision.

35. **Mr. Alabi** (Nigeria) said that his delegation wished to associate itself with the statement of the representative of the Sudan. It had considerable respect

for the realization of human rights as the principal goal in human development and for meeting the challenges of globalization. That was an assertion guided not by sentiment, but by the fundamental principles and objectives of the Charter of the United Nations and the main human-rights instruments and conventions. The view which it had adopted in the Commission on Human Rights, and which it continued to hold, derived from the fact that although the Commission's resolution on the human rights situation in the Sudan (resolution 2002/16) had recognized the Sudanese Government's cooperation with the international community, it had ignored that Government's positive approach and commitment to restoring lasting peace in the country. For that reason, Nigeria felt it necessary to dissociate itself from the draft decision.

36. *Draft decision 8 was adopted.*

Draft decision 9

37. **The President** invited the Council to take action on draft decision 9, entitled "Situation of human rights in Cuba".

38. **Mr. Rodríguez Parrilla** (Cuba), speaking in explanation of position, said that the draft decision being imposed on the Council was not founded on the impartiality, objectivity and non-selectivity which should guide international cooperation on human rights. The real aim was to give the Government of the United States its latest excuse to maintain the blockade of Cuba, against the will of the United States people and in the face of international isolation. That blockade was an act of genocide under the Geneva Conventions and a blatant, significant and systematic violation of the human rights of Cubans. The resolution on which the decision was based (resolution 2002/18) had been approved in the Commission on Human Rights by a margin of only two votes, achieved by the super-Power's use of pressure, threats and extortion against subordinate Governments.

39. Many delegations had resisted that pressure and rejected the manipulation of the Commission on Human Rights for political ends, together with the spurious reasoning, hypocrisy and double standards imposed on it. They had understood that the continuing political slant intended to single Cuba out harmed the legitimate interest of the international community in promoting and protecting the human rights of all people in all countries. It sapped the credibility of the Commission and hindered the cooperation and dialogue which should underpin its work.

40. Cuba was proud of its human rights achievements. Its accusers could not make the same claim. The Cuban people had recently exercised their sovereign will and confirmed their massive support for the country's Constitution. Once again, Cuba's accusers could not make the same claim.

41. His delegation opposed the draft decision, seeing no legitimacy in the resolution on which it was based. It called on the secretariat of the Council to record formally a lack of consensus.

42. **Mr. Erwa** (Sudan) said that the Sudan had special respect for human rights, as reflected in the moral values of its people, its Constitution and its domestic legislation. For that reason, it refused to countenance selective exploitation of the issue or the use of double standards, politicization and confrontation in connection with it, instead of dialogue and cooperation. As a result, the Sudan supported the statement made by the representative of Cuba and did not wish to join the consensus on the draft decision.

43. **Mr. Muchetwa** (Zimbabwe) said that his delegation, with regret, would not be joining the consensus on the draft decision. It believed that it was politically motivated and did not derive from legitimate concerns over the situation of human rights in Cuba. It was clearly not based on the principles of impartiality, objectivity and non-selectivity which it had been agreed should guide international cooperation on human rights. While the Commission on Human Rights had focused on Cuba, which it acknowledged had made great strides in social rights, the same commitment to human rights and democracy was not present in the case of many other areas where men, women and children were killed and maimed daily and denied their legitimate right to self-determination.

44. **Mr. Andrabi** (Pakistan) said that Pakistan had always opposed the use of a selective and one-sided approach to human-rights issues in developing countries, as it was a practice that failed to advance the cause of human rights. Pakistan had voted against the resolution on which the decision before the Council was based (resolution 2002/18), and therefore wished to dissociate itself from that decision.

45. **Mr. Alabi** (Nigeria) said that Nigeria wished to dissociate itself from the consensus on the draft

decision in question, as it had earlier voted against the resolution on which it was based (resolution 2002/18).

46. **Mr. Montwedi** (South Africa) said that his Government's official position on the human-rights situation in Cuba had been to oppose consistently proposals like the draft decision before the Council, which, though they purported to seek improvement, were counterproductive. The real intention of the draft decision in question seemed to be to continue the politically motivated agenda of some States to achieve economic isolation of the Government and people of Cuba. His delegation regretted to inform the Council that it wished to dissociate itself from the draft decision, and that it would vote against it if a vote was held.

47. **Mr. Nteturuye** (Burundi) said that his delegation had dissociated itself from the consensus on the resolution on which the draft decision before the Council was based (resolution 2002/18) because it could not support the application of double standards or the regrettable practice of some States which used human rights as an excuse to attack the dignity of other countries, including weaker countries. It opposed the draft decision and would vote against it in support of Cuba.

48. **Mr. Lukiantsev** (Russian Federation) said that the Russian Federation consistently opposed any attempts to politicize the work of the Commission on Human Rights. Sponsoring a draft resolution on the situation of human rights in Cuba in the Commission year after year was anything but an expression of genuine concern over matters in that country. For that reason, the Russian Federation did not support the consensus on the draft decision. His delegation wished to confirm once again the position it had taken on thematic issues and country issues at the fifty-eighth session of the Commission on Human Rights. That position applied equally to the country situations under consideration at the current session of the Council.

49. **Mr. Gaspar Martins** (Angola) said that his delegation was following developments in Cuba closely and was aware that the adoption of a resolution on the human-rights situation there year after year for the past 10 years had not proved effective. In the light of that consideration, and given the positive steps that it had observed in Cuba, his delegation was not willing to associate itself with the consensus on the draft decision. It looked forward to more imaginative and positive ways of addressing the situation in Cuba.

50. **Mr. Gzllal** (Libyan Arab Jamahiriya) said that the Commission resolution on which the decision before the Council was based (resolution 2002/18) flew in the face of the Cuban people's right to choose their own economic and social system. It had been drafted selectively and lacked impartiality and objectivity. His delegation opposed the draft decision and called upon the sponsors of the resolution not to continue to promote division.

51. **Mr. Alaei** (Islamic Republic of Iran) said that the Islamic Republic of Iran, which was not currently a member of the Commission on Human Rights, maintained that the promotion and protection of human rights would only be achieved through dialogue and understanding, and that the use of confrontation in addressing human-rights issues led to stereotyping, misperception, double standards and bias. His delegation was unable to support the tone and substance of the country-situation monitoring reports currently under consideration. The continuing tendency to initiate and adopt Council resolutions which relegated human rights to a secondary position and instead promoted nationalistic political interests would do more harm than good to the cause of human rights and ran counter to the ideals of the Universal Declaration of Human Rights and the two International Covenants on Human Rights. In other words, it was prompted by a desire to maintain political superiority and not by any commitment to the human rights agenda of the United Nations. Far from being inspired by a spirit of impartiality, objectivity and non-selectivity, the resolution on Cuba adopted by the Commission on Human Rights (resolution 2002/18) was an effort to manipulate the mechanisms of the Commission on Human Rights so as to serve extraneous interests and force one particular political will on the international community.

52. For the reasons he had expressed, his delegation wished to dissociate itself from the consensus on the draft decision before the Council.

53. **Mr. Xie Bohua** (China) said that the resolution on which the draft decision was based was the product of political antagonism and a manifestation of unjust political relations. Cuba's struggle as a small country to resist political pressure and economic blockade by a super-Power for four decades and to realize for its

people the right to development in a hostile external environment constituted a contribution to the cause of human rights worldwide and should inspire respect. His delegation supported the principled position of Cuba and could not join the consensus on the draft decision.

54. **Ms. Loemban Tobing-Klein** (Suriname) said that her country, as the sole member of the Caribbean Community serving on the Council, could not join the consensus. If a vote was taken on the draft decision, her delegation would vote against it.

55. *Draft decision 9 was adopted.*

Draft decisions 10 and 11

56. **The President** invited the Council to take action on draft decision 10, entitled "Situation of human rights in Afghanistan", and draft decision 11, entitled "Situation of human rights in Sierra Leone".

57. *Draft decisions 10 and 11 were adopted.*

Draft decision 12

58. **The President** invited the Council to take action on draft decision 12, entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights".

59. **Mr. Dennis** (United States of America) said that his delegation opposed the draft decision on account of its proposal to establish an open-ended working group to elaborate an optional protocol to the International Covenant on Economic, Social and Cultural Rights. His delegation agreed with the independent expert (E/CN.4/2002/57, para. 55) that the working group should not be set up until he had completed his work on the merits of the proposal. It also agreed with the view that it was not feasible to establish an adjudicative mechanism for violations of economic, social and cultural rights and that the wording of article 2, paragraph 1, of the Covenant, which had no counterpart in the International Covenant on Civil and Political Rights, merited closer attention. Likewise, the provisions of the Covenant could not be translated into clearly defined commitments so that individual breaches could give rise to remedies under the communications procedure that would be established by the optional protocol (ibid., para. 20). The Committee on Economic, Social and Cultural Rights could not first engage a State in the consideration of periodic reports and go on to act as a judicial investigative settlement body, but must opt for one or the other role.

60. **Mr. Rodríguez Parrilla** (Cuba) said it was important that the draft decision, based on a draft resolution submitted to the Commission on Human Rights by the delegation of Portugal and endorsed by many developing countries, should be adopted. The draft optional protocol had been developed to the stage at which it would deal not only with questions of individual communications, but with ensuring that the exercise of such rights were considered on an equal footing with civil and political rights.

61. *A recorded vote was taken on draft decision 12.*

In favour:

Andorra, Angola, Argentina, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Croatia, Cuba, Egypt, El Salvador, Ethiopia, Finland, France, Georgia, Germany, Ghana, Hungary, Iran (Islamic Republic of), Italy, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Netherlands, Nigeria, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against:

United States of America.

Abstaining:

Australia, India, Japan, Pakistan.

62. *Draft decision 12 was adopted by 46 votes to 1, with 4 abstentions.*

63. **Mr. Blazey** (Australia) said that, while his delegation firmly supported the economic, social and cultural rights enshrined in the Universal Declaration of Human Rights, all human rights were important. His delegation's abstention had been prompted not by his country's waning commitment to the exercise of those rights, but by its specific concern about the establishment of an open-ended working group to consider an individual complaints mechanism. His delegation was dismayed by proposals to set up new mechanisms before the real need for them had been

established. It had reservations about spending limited resources on a working group in that connection and would, instead, support the strengthening of existing mechanisms.

64. **Ms. Loemban Tobing-Klein** (Suriname) said that her delegation had been pleased to vote in favour of the decision, since human rights violations denied people access to education and the entire array of economic, social and cultural rights. She hoped that the establishment of an optional protocol would ensure that human rights violators were punished.

Draft decision 13

65. **The President** invited the Council to take action on draft decision 13, entitled "The right to food".

66. **Ms. Serwer** (United States of America) said that the most effective route to food security was sound policies of growth and open markets, the principal responsibility for which lay with each Government. While the United States, the world's largest food donor, played a vital role in food security worldwide, through both bilateral and multilateral assistance, it could not support the idea of the right to food as a justiciable right of those who claimed that their food rights were denied.

67. *A recorded vote was taken on draft decision 13.*

In favour:

Andorra, Angola, Argentina, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Croatia, Cuba, Egypt, El Salvador, Ethiopia, Finland, France, Georgia, Germany, Ghana, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against:

United States of America.

Abstaining:

Australia.

68. *Draft decision 13 was adopted by 49 votes to 1, with 1 abstention.*

Draft decision 14

69. **The President** invited the Council to take action on draft decision 14, entitled "Globalization and its impact on the full enjoyment of human rights".

70. *A recorded vote was taken on draft decision 14.*

In favour:

Angola, Argentina, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Cuba, Egypt, El Salvador, Ethiopia, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Nepal, Nigeria, Pakistan, Peru, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Zimbabwe.

Against:

Andorra, Australia, Austria, Croatia, Finland, France, Georgia, Germany, Hungary, Italy, Japan, Malta, Netherlands, Republic of Korea, Romania, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

71. *Draft decision 14 was adopted by 31 votes to 20.*

Draft decision 15

72. **The President** invited the Council to take action on draft decision 15, entitled "Effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights".

73. *A recorded vote was taken on draft decision 15.*

In favour:

Angola, Benin, Bhutan, Brazil, Burkina Faso, Burundi, China, Cuba, Egypt, Ethiopia, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Nepal, Nigeria, Pakistan, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Zimbabwe.

Against:

Andorra, Australia, Austria, Croatia, Finland, France, Georgia, Germany, Hungary, Italy, Japan, Malta, Netherlands, Republic of Korea, Romania, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Bahrain, Chile, Costa Rica, El Salvador, Mexico, Peru.

74. *Draft decision 15 was adopted by 24 votes to 20, with 7 abstentions.*

Draft decision 16

75. **The President** invited the Council to take action on draft decision 16, entitled "Human rights and extreme poverty".

76. *Draft decision 16 was adopted.*

Draft decision 17

77. **The President** invited the Council to take action on draft decision 17, entitled "The right of everyone to the enjoyment of the highest attainable standard of physical and mental health".

78. **Ms. Serwer** (United States of America) said that while her Government firmly believed in the right of all persons to health, as set forth in article 25 of the Universal Declaration of Human Rights, it could not support the draft decision for a number of reasons. It did not agree with the proposed appointment of a new special rapporteur, in the belief that the scarce resources available in the human rights area could be better utilized, rather than allocated to unnecessary mandates while important activities might be short-changed. The role of a new special rapporteur for health attempted to establish a legal arena for health matters and could result in lawsuits or other legal action against Governments for health benefits they could ill afford.

79. **Mr. Caldas de Moura** (Brazil) said that the main aim of resolution 2002/31, which had been adopted by the Commission on Human Rights without a vote, was to provide adequate mechanisms for ensuring appropriate implementation of the right to health established in the Universal Declaration of Human Rights and make for flexible dialogue on the matter with all Member States. A special rapporteur would do just that and help establish the mechanisms for the attainment of physical and mental health for all. Inasmuch as funding for the post had already been provided for in the programme budget for the biennium 2002-2003, no additional financing would be needed. He therefore hoped that the draft decision would be adopted.

80. *A recorded vote was taken on draft decision 17.*

In favour:

Andorra, Angola, Argentina, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Croatia, Cuba, Egypt, El Salvador, Ethiopia, Finland, France, Georgia, Germany, Ghana, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against:

Australia, United States of America.

Abstaining:

None.

81. *Draft decision 17 was adopted by 49 votes to 2.*

82. **Ms. Sekal** (Japan) said her delegation had voted in favour of the draft decision, believing as it did in the general concept of that right. However, the need to establish any new special rapporteurs should be carefully examined in the light of the challenge of rationalizing and streamlining the human rights machinery, including that of special rapporteurs.

83. **Mr. Blazey** (Australia) said that, while his Government was interested in human rights issues worldwide and supported the principles contained in the decision, his delegation had cast a negative vote because it totally opposed the establishment of a new special rapporteur. It was against the process agreed on in the Commission on Human Rights resolution and feared that the work of a special rapporteur would duplicate that of other bodies, especially the World Health Organization, needlessly stretching already limited resources. His delegation's negative vote was not a condemnation of efforts to improve health standards worldwide, but of States' inadequate consideration of the cost a special rapporteur would entail.

Draft decisions 18, 19, 20, 21, 22, 23 and 24

84. **The President** invited the Council to take action on draft decision 18, entitled "Torture and other cruel, inhuman or degrading treatment or punishment", draft decision 19, entitled "Elimination of all forms of

religious intolerance", draft decision 20, entitled "The right to freedom of opinion and expression", draft decision 21, entitled "Integrating the human rights of women throughout the United Nations system", draft decision 22, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families", draft decision 23, entitled "Human rights of persons with disabilities" and draft decision 24, entitled "Human rights of migrants".

85. *Draft decisions 18, 19, 20, 21, 22, 23 and 24 were adopted.*

Draft decision 25

86. **The President** invited the Council to take action on draft decision 25, entitled "Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World's Indigenous People".

87. **Ms. Serwer** (United States of America) said that her delegation would abstain from the vote on the draft decision because, while it appreciated the Working Group's achievements, the time had come to transfer its activities to the Permanent Forum on Indigenous Issues, which had been part of the basic justification for the establishment of the Forum. To extend its mandate any further would be to squander scarce resources and perpetuate duplication of work in the United Nations system.

88. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 25.*

In favour:

Andorra, Angola, Argentina, Australia, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Croatia, Cuba, Egypt, El Salvador, Ethiopia, Finland, France, Georgia, Germany, Ghana, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against:

None.

Abstaining:

United States of America.

89. *Draft decision 25 was adopted by 50 votes to none, with 1 abstention.*

Draft decisions 26 and 27

90. **The President** invited the Council to take action on draft decision 26, entitled "Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994" and draft decision 27, entitled "Situation of human rights in Myanmar".

91. *Draft decisions 26 and 27 were adopted.*

Draft decision 28

92. **The President** drew attention to draft decision 28, entitled "Racism, racial discrimination, xenophobia and related intolerance" and to document E/2002/L.21, which contained an amendment to the draft decision proposed by the representative of South Africa. In accordance with rule 66 of its rules of procedure, the Council would first take action on the proposed amendment.

93. *The amendment proposed by the representative of South Africa was adopted.*

94. **The President** invited the Council to take action on draft decision 28, as amended.

95. **Mr. Hahn** (Observer for Denmark), speaking on behalf of the European Union and the associated countries Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, said that the European Union was firmly resolved to implement the commitments entered into at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001), as set out in the Programme of Action and reaffirmed in General Assembly resolution 56/266. It therefore regretted that it had not been possible to reach a consensus on the implementation of the Durban commitments in the Commission on Human Rights. The draft decision before the Council went far beyond what had been agreed in Durban. A clear example was the call for the establishment of an intergovernmental working group and a working group of five independent experts on people of African descent. Instead of introducing new

elements that threatened to undermine the consensus achieved in Durban, the decision should have focused on concrete steps to fight racism. While the European Union supported the renewal of the mandate of the Special Rapporteur, it believed that his appointment lay within the purview of the Chairman of the Commission and that the rules previously agreed on limiting the term of the mandate of the Special Rapporteur should apply in all circumstances. For those reasons, those countries members of the European Union and associated countries who were members of the Council would vote against the draft decision.

96. The elimination of acts of racism and racial discrimination was the responsibility and duty of the entire international community. The European Union wished to reiterate its determination to cooperate with all delegations in combating those scourges and looked forward to constructive discussions on the issue in the future.

97. **Ms. Serwer** (United States of America) said that her Government was committed to combating racism, racial discrimination, xenophobia, anti-Semitism and other forms of religious intolerance, both within the United States and throughout the world. It could not, however, support the draft decision before the Council since it was based on the flawed outcome documents of the Durban Conference, which the United States did not endorse.

98. **Mr. Rodríguez Parrilla** (Cuba) expressed surprise at the arguments adduced by the previous speakers. He recalled that the post of High Commissioner for Human Rights had been established on the basis of an agreement reached at the World Conference for Human Rights (Vienna, 1993). There had been a similar agreement at the Durban Conference to establish the follow-up machinery called for in the draft decision. He therefore regretted that some delegations did not wish to accord the Durban outcome equal treatment.

99. **Mr. Montwedi** (South Africa) said he was shocked at the suggestion that new elements, not drawn from the Durban Declaration and Programme of Action, had been introduced in the draft decision; that simply was not the case. As to the allegation that the appointment of the Special Rapporteur by the Commission was somehow irregular, his delegation considered that no individual, even the Chairman of the Commission, was greater than the Commission itself.

100. **Mr. Mekel** (Observer for Israel) said that his delegation rejected certain sections of the Durban Declaration and Programme of Action and the spirit in which those documents had been drafted. At the Durban Conference, the world had witnessed a regrettable attempt to turn an important international forum into an attack on a Member State. Over the past 18 months, there had been an upsurge in the number of anti-Semitic attacks, as persons opposed to the policies of the Israeli Government took the liberty of physically attacking Jews. That situation could not be tolerated. He therefore called on the Council and the international community as a whole to take steps to put an end to those attacks.

101. *A recorded vote was taken on draft decision 28, as amended.*

In favour:

Angola, Argentina, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Chile, China, Costa Rica, Cuba, Egypt, El Salvador, Ethiopia, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Nepal, Nigeria, Pakistan, Peru, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Zimbabwe.

Against:

Andorra, Australia, Austria, Finland, France, Georgia, Germany, Hungary, Italy, Malta, Netherlands, Romania, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Burundi, Croatia, Japan, Republic of Korea.

102. *Draft decision 28, as amended, was adopted by 30 votes to 17, with 4 abstentions.*[*]

103. **Mr. Blazey** (Australia), speaking also on behalf of Canada, said that his Government was unequivocally opposed to racism in all its forms and was committed to strong action both domestically and internationally in order to address that problem. The international community could fight racism, racial discrimination, xenophobia and related intolerance only through the implementation of forward-looking, positive and concrete measures at the national, regional and international levels. His delegation had voted against

[*] The delegation of Burundi subsequently informed the Council that it had intended to vote in favour of the draft decision, as amended.

the decision just adopted because of its deep and continuing disappointment at the divisive political debate at the Durban Conference. Its concerns, which were clearly articulated in the final conference report, affected its views on the approach that the international community should take to the implementation of the Durban outcomes. His delegation's vote also reflected its concern at the proliferation of follow-up mechanisms, which went beyond what had been agreed in Durban. Given its position, his delegation was also unable to support the request for resources for the implementation of the decision.

104. He wished to underscore that his delegation's vote against the decision was not a vote against efforts to combat racism. The Durban Declaration and Programme of Action contained many important conclusions and recommendations. His Government was committed to their implementation as part of its broader continuing commitment to the global fight against racism. It looked forward to further cooperation with other Member States for that purpose.

Draft decision 29

105. **The President** invited the Council to take action on draft decision 29, entitled "The right to development".

106. *Draft decision 29 was adopted.*

Draft decision 30

107. **The President** invited the Council to take action on draft decision 30, entitled "Composition of the staff of the Office of the United Nations High Commissioner for Human Rights".

108. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 30.*

In favour:

Angola, Argentina, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Cuba, Egypt, El Salvador, Ethiopia, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Nepal, Nigeria, Pakistan, Peru, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Ukraine, Zimbabwe.

Against:

Andorra, Australia, Austria, Finland, France, Georgia, Germany, Hungary, Italy, Japan, Malta, Netherlands, Republic of Korea, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Croatia, Mexico.

109. *Draft decision 30 was adopted by 31 votes to 18, with 2 abstentions.*

Draft decisions 31, 32 and 33

110. **The President** invited the Council to take action on draft decision 31, entitled "Assistance to Somalia in the field of human rights", draft decision 32, entitled "Enhancement of the effectiveness of the working methods of the Commission" and draft decision 33, entitled "Rights of the child".

111. *Draft decisions 31, 32 and 33 were adopted.*

The meeting rose at 12.55 p.m.

United Nations E/2002/SR.40

Economic and Social Council

Provisional

25 November 2002

Original: English

Substantive session for 2002
General segment

Provisional summary record of the 40th meeting
Held at Headquarters, New York, on Thursday, 25 July 2002, at 3 p.m.

President: Mr. Rosenthal (Vice-President) ..... (Guatemala)

Contents

Social and human rights questions (*continued*)

(a) Advancement of women (*continued*)

(e) United Nations High Commissioner for Refugees (*continued*)

(g) Human rights (*continued*)

(h) Permanent Forum on Indigenous Issues (*continued*)

Operational activities of the United Nations for international development cooperation (*continued*)

(a) Progress report on the implementation of the triennial comprehensive policy review (*continued*)

(b) Reports of the Executive Heads of the United Nations Development Programme/United Nations Population Fund, the United Nations Children's Fund and the World Food Programme (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*)

Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and the Arab population in the occupied Syrian Golan (*continued*)

Economic and environmental questions (*continued*)

(a) Sustainable development (*continued*)

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

02-49736 (E)

(d) **Human settlements (*continued*)**

Integrated and coordinated implementation of and follow-up to major United Nations conferences and summits (*continued*)

(b) **Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010 (*continued*)**

The meeting was called to order at 3.20 p.m.

Social and human rights questions (*continued*)

(a) Advancement of women (*continued*)

(e) United Nations High Commissioner for Refugees (*continued*)

(g) Human rights (*continued*)

(h) Permanent Forum on Indigenous Issues (*continued*)

1. **The President** invited the Council to turn to the remaining draft decisions under sub-item (g), contained in chapter I of the report of the Commission on Human Rights on its fifty-eighth session (E/2002/23 (Part I)), the programme budget implications of which were set out in document E/2002/L.24.

Draft decision 34

2. **Mr. Reyes** (Cuba) said that the draft decision on interaction between the secretariat of the procedure established pursuant to Economic and Social Council resolution 1503 (XLVIII) and the Division for the Advancement of Women recommended discontinuance of the Commission on Human Rights practice of forwarding confidential monthly lists to the Division. Cuba proposed not to take action on draft decision 34, to allow all delegations to consider the real implications. The confidential communications procedure of the Commission on Human Rights pursuant to Council resolution 1503 (XLVIII) allowed an opportunity at each stage for the State party against whom a complaint was brought to contest allegations or provide clarifications. The simple forwarding of the monthly lists to the Division so that it could chart trends in human rights violations meant that it inevitably worked on the basis of rumours and mistaken allegations. There was, moreover, no legal basis in the form of a specific authorization by the Council for the practice of sharing confidential information. He believed that the Council should ask the President of the Commission on Human Rights to reconsider the decision, on the basis of further study of its real impact. Without such further information, the Council itself was not in a position either to approve or reject the practice or to take action on the draft decision.

3. **The President** said that since the representative of Cuba had moved that no action should be taken on draft decision 34, he would, in accordance with rule 50 of the rules of procedure, give the floor to two representatives to speak in favour of the motion and two against, after which the motion would immediately be put to a vote.

4. **Mr. Andrabi** (Pakistan) said that, indeed, the Commission had never specifically given legal authorization for the practice of forwarding confidential information to the Division. The Commission and the Division were entirely separate. The Division for the Advancement of Women was governed by resolution 1983/27 of the Commission on the Status of Women, which, inter alia, called for avoidance of duplication of work; and the forwarding of the lists in question certainly amounted to duplication of work. Because the Division itself was still discussing the whole issue and because of the importance of the communications procedure in the work of the Commission on Human Rights, the Council should avoid taking hasty or arbitrary action and should defer the matter.

5. **Mr. Xie** Bohua (China) seconded Cuba's motion. Views were divided as to whether the communications procedure under resolution 1503 (XLVIII) had any applicability beyond the Commission on Human Rights. It was unclear if the practice of forwarding confidential information had a legal basis. Before taking action, the Council should ascertain the views of all relevant bodies.

6. **Ms. Borzi** (Italy), speaking on behalf of the European Union, said that it was opposed to deferring action because it believed that the Council should take a decision on a recommendation of the Commission on Human Rights as to its own procedures.

7. **Mr. D'Aiotto** (Argentina) said that his delegation opposed Cuba's motion. It was important for the Council to take a position on a decision that would discontinue what had proved to be a useful procedure in helping to eliminate all forms of discrimination against women. It could not be said that the practice had no legal basis, because the Legal Counsel had in the past given an opinion confirming its legality. Draft decision 34 was unjustified because it militated against the protection of human rights. He therefore urged delegations to vote against the motion and to vote subsequently against the draft decision as well.

8. *A recorded vote was taken on the Cuban motion to take no action on draft decision 34.*

In favour:

Bahrain, Bhutan, China, Cuba, Egypt, Ethiopia, Fiji, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Nepal, Nigeria, Pakistan, Russian Federation, South Africa, Sudan, Suriname, Zimbabwe.

Against:

Andorra, Angola, Argentina, Australia, Austria, Benin, Brazil, Burkina Faso, Cameroon, Chile, Costa Rica, Croatia, El Salvador, Finland, France, Georgia, Germany, Ghana, Hungary, Italy, Japan, Malta, Mexico, Netherlands, Peru, Republic of Korea, Romania, Spain, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Burundi, Qatar.

9. *The Cuban motion was rejected by 33 votes to 18, with 2 abstentions.*

10. **The President** said that a vote had been requested on draft decision 34. He invited any delegations wishing to speak in explanation of vote before the vote to do so.

11. **Mr. Hahn** (Observer for Denmark), speaking on behalf of the European Union, said that Commission on Human Rights decision 2002/102, on which draft decision 34 was based, had not been well founded and would be detrimental to the functioning of the Council's subsidiary commissions and secretariat. It would weaken the communications procedure of the Commission on the Status of Women, which was an important tool in the protection of women's rights. The argument that the information-sharing practice in question would breach the confidentiality of the communications procedure of the Commission on Human Rights was specious since the procedure of the Commission on the Status of Women was also confidential. The Commission on Human Rights did not have the competence to take such a decision, and the Council should play its coordinating role and reject it. The members of the European Union would vote against it.

12. **Mr. Reyes** (Cuba) said that his delegation considered information-sharing advantageous, but not as it was currently practised. Both those involved in dealing with communications and those involved in assessing human rights situations should be able to review the full information available, offering a modicum of due process to States, which had to be able to defend themselves against allegations. The current practice could produce distorted conclusions by the Commission on the Status of Women, and there was no legal basis for continuing it. Cuba did not object to the practice in principle but would vote against the decision as currently drafted.

13. **Mr. Alaei** (Islamic Republic of Iran) said that he believed the decision to discontinue the practice in question was well taken and would vote in favour of it. The communications procedure in the Commission on the Status of Women was completely different from that of the Commission on Human Rights. The former did not deal with individual petitions but simply examined trends of human rights violations against women without specifically investigating them. The legal opinion that had been issued some time ago regarding the exchange of information had applied only to the regional commissions and not to the two bodies in question; and, in any case, legality arose from a decision of intergovernmental bodies, not the Legal Counsel. Regarding the confidentiality of procedures, in the case of the Commission on Human Rights it meant that the allegations should not go beyond the membership of the Commission itself, whereas the confidentiality requirements in the Commission on the Status of Women differed.

14. **Mr. Xie** Bohua (China) observed that it was not clear whether there was any legal basis for transferring information on the communications procedure of the Commission on Human Rights to the Commission on the Status of Women. The confidentiality procedures of the two bodies were very different, and the strict confidentiality rules of the Commission on Human Rights did not extend to the Commission on the Status of Women. Moreover, the membership of the two bodies represented different nations. His delegation would vote in favour of draft decision 34.

15. **Mr. Andrabi** (Pakistan) said that he himself had no recollection of any legal opinion obtained by the Commission on the Status of Women, but rules could be interpreted and the Council should have such information before it decided. The two commissions in question had separate mandates, methods of work and ways of handling communications. The Commission on Human Rights forwarded complaints to member States

for comment, while the Commission on the Status of Women did not. By allowing confidential monthly lists to continue to be exchanged between the two bodies, the Council would allow the Commission on Human Rights to exceed its mandate. The two commissions had their own authorizing resolutions and they should keep to them. His delegation would therefore vote in favour of the draft decision.

16. **Ms. Ahmed** (Sudan) said that she herself would appreciate more information on the legal background to the question, in order to determine whether the practice should be discontinued. The membership of the two bodies differed, and there was technically a confidentiality problem. She would therefore vote to discontinue the practice.

17. **Mr. Montwedi** (South Africa) said that his delegation had voted in favour of the Commission on Human Rights decision and would do so again now in the Council. The practice was flawed and lacked legal basis, as disclosed by the Commission's own investigation of the matter two years earlier. What was at issue was not sharing of information but rather sharing of allegations that were subject to verification. Moreover, the material thus shared was in practice used only against the countries of a particular region. It would be irresponsible for the Council to endorse the practice.

18. **Ms. Elisha** (Benin) said that the Commission on the Status of Women took action in full confidentiality. It was not a tribunal, and its purpose was not to hand down judgements but to advance the cause of women. Therefore, the practice of information-sharing would not be detrimental.

19. **Ms. Khalil** (Egypt) said that there was no legal basis for information-sharing, which undermined confidentiality. Lodging of complaints under a 1503 procedure would lead to double investigations. Each body should stay within its own mandate, and her delegation therefore intended to vote in favour of the draft decision.

20. **Mr. Almadi** (Observer for Saudi Arabia) said that the draft decision had been endorsed by the African group, the Asian group and many other delegations. As the Commission had already adopted the decision, its reconsideration in the Council would set a damaging precedent. He thus called for a vote in favour of the draft decision.

21. *A recorded vote was taken on draft decision 34.*

In favour:

Bahrain, Bhutan, Burundi, Cameroon, China, Cuba, Egypt, Ethiopia, Fiji, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Nepal, Nigeria, Pakistan, Qatar, Russian Federation, South Africa, Sudan, Uganda, Zimbabwe.

Against:

Andorra, Argentina, Australia, Austria, Benin, Brazil, Burkina Faso, Chile, Costa Rica, Croatia, El Salvador, Finland, France, Georgia, Germany, Ghana, Hungary, Italy, Japan, Malta, Mexico, Netherlands, Peru, Republic of Korea, Romania, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Angola, Suriname.

22. *Draft decision 34 was rejected by 30 votes to 21, with 2 abstentions.*

Draft decision 35

23. **Ms. Serwer** (United States of America), speaking in explanation of vote before the vote, said that the convening of the Social Forum undermined efforts to streamline and rationalize the work of international human rights mechanisms and duplicated discussions already taking place in other forums. The focus on adequate food and poverty reduction also encroached on the work of the Council of the Food and Agriculture Organization of the United Nations (FAO) and the outcome of the World Food Summit. Her delegation believed that the issue of adequate food could be viewed only in the context of the right to a standard of living adequate for health and well-being, as set forth in the Universal Declaration of Human Rights.

24. Her delegation had been surprised to see on the web site of the Office of the United Nations High Commissioner for Human Rights (UNHCHR) a statement that the Council had already approved the convening of the Forum, action which was still in the process of being decided. Despite the assurances that there were no programme budget implications, other important human rights activities might be short-changed in order to accommodate the meeting.

25. **Mr. N'Diaye** (Office of the United Nations High Commissioner for Human Rights) said that the draft

decision had requested the holding of the Forum before the session of the Subcommission on the Promotion and Protection of Human Rights in Geneva, but 25 and 26 July had been the only possible dates because of other scheduled meetings. The meeting had not taken place, however, because it had not received Council approval. The programme budget implications were no longer relevant, as there would be no additional costs for conference servicing. The Forum would be made part of the normal session of the Subcommission.

26. **Mr. Hahn** (Observer for Denmark), speaking on behalf of the European Union, said that the European Union did not support the holding of the Forum outside the regular session of the Subcommission and regretted that preparations had been made in advance of Council approval. That action should not set a precedent. Members of the European Union that were also members of the Council would therefore abstain from voting.

27. **Mr. Reyes Rodriguez** (Cuba) said that the Secretariat had taken similar initiatives on other occasions when advance preparation had been required and should not be criticized for its action. The Council was at fault for delaying its decision. His delegation favoured the draft decision.

28. *A recorded vote was taken on draft decision 35.*

In favour:

Angola, Argentina, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Croatia, Cuba, Egypt, El Salvador, Ethiopia, Fiji, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Nepal, Nigeria, Pakistan, Peru, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Zimbabwe.

Against:

Australia, Japan, United States of America.

Abstaining:

Andorra, Austria, Cameroon, Finland, France, Georgia, Germany, Hungary, Italy, Malta, Netherlands, Republic of Korea, Romania, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland.

29. *Draft decision 35 was adopted by 33 votes to 3, with 17 abstentions.*

30. **Ms. Sekal** (Japan) said that her delegation regretted that the new information about the programme budget implications of the draft decision had been received just before the decision was taken. Such statements were essential to the work of the Council and should be issued promptly and in good time. According to the statement just issued, estimated costs had increased by 29 per cent as compared with April.

Draft decision 36

31. *A recorded vote was taken on draft decision 36.*

In favour:

Angola, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Cuba, Egypt, El Salvador, Ethiopia, Fiji, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Nepal, Nigeria, Pakistan, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Zimbabwe.

Against:

Andorra, Australia, Austria, Croatia, Finland, France, Georgia, Germany, Hungary, Italy, Japan, Malta, Netherlands, Romania, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Cameroon, Costa Rica, Peru, Republic of Korea.

32. *Draft decision 36 was adopted by 29 votes to 19, with 5 abstentions.*

Draft decisions 37 to 39

33. *Draft decisions 37 to 39 were adopted.*

Draft decision 40

34. **Ms. Serwer** (United States of America) said that her delegation could not support the request to authorize 14 fully serviced additional meetings of the Commission on Human Rights at its fifty-ninth session because of the financial implications. Furthermore, any authorization for additional meetings should not be given before the Secretary-General had put forward his proposals for rationalizing and streamlining human rights mechanisms, as requested in General Assembly resolution 56/736.

35. *A recorded vote was taken on draft decision 40.*

In favour:

Andorra, Angola, Argentina, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cameroon, Chile, China, Costa Rica, Croatia, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against:

Australia, United States of America.

Abstaining:

None.

36. *Draft decision 40 was adopted by 50 votes to 2.*

37. **Mr. Reyes Rodriguez** (Cuba) said that, had his delegation been present, it would have voted in favour of the draft decision.

38. **Mr. Tomoshige** (Japan) said that his delegation had voted in favour of the decision, but under the current circumstances, where it was important to cut costs, the Commission should make every effort to complete its work within the time allotted.

39. **Mr. Dialotto** (Australia) said that his delegation had voted against the draft decision, not with the aim of crippling the work of the Commission, but to encourage greater efficiency. The additional meetings requested were not consistent with budget constraints and streamlining of its work.

Draft decisions 41 to 43

40. *Draft decisions 41 to 43 were adopted.*

41. **The President** invited the Council to turn to the four Swedish proposals submitted under sub-item (h).

Draft resolution E/2002/L.16

42. **Ms. Martholm** (Sweden) announced that Australia and Ecuador had joined the list of sponsors of draft resolution E/2002/L.16, entitled "Permanent Forum on Indigenous Issues". In paragraph 1 (a) of the text the words "in New York" should be inserted after the words "United Nations Secretariat".

43. **Ms. Loemban Tobin-Klein** (Suriname) said that, as a country with a large indigenous community, Suriname was deeply committed to the Permanent Forum on Indigenous Issues and felt a special responsibility in that area. The Government and national indigenous peoples' organizations in Suriname were willing to participate in the Forum by submitting the names of candidates for positions in the Secretariat unit to be established. Unfortunately, the candidate they had recommended, although endorsed by CARICOM, had not been selected. Her delegation also strongly supported the inclusion of Ms. Erica Daes of Greece as a member of that unit. Her delegation would support consensus on the draft resolution, although it reserved the right to make a specific proposal regarding Ms. Daes at a later stage.

44. **The President** invited the Council to take action on draft resolution E/2002/L.16, as orally revised by the representative of Sweden.

45. *Draft resolution E/2002/L.16, as orally revised, was adopted.*

46. **Mr. Tomoshige** (Japan) said his delegation recognized the need for a secretariat unit for the Permanent Forum but stressed that, in accordance with the terms of paragraph 6 of Council resolution 2000/22 establishing the Permanent Forum, its activities must be financed from within existing resources through the regular budget.

47. **Ms. Tomar** (India) said although India had no indigenous populations as such, it had always supported the rights of indigenous peoples. She cautioned, however, that in order to ensure credibility of the Forum, the notion of what constituted an indigenous people or indigenous peoples needed to be carefully defined.

48. The report of the Permanent Forum (E/2002/43, (Part I)) contained a number of wide-ranging recommendations, but related activities should be restricted to countries where there were truly indigenous peoples. A number of mechanisms had been created to address the rights of indigenous peoples. Review of those mechanisms in 2003 should help avoid duplication and eliminate what was obsolete.

49. Although she supported creation of a secretariat unit for the Forum, she cautioned against allocating

excessive resources to what was a new body. Furthermore, with regard to paragraph 5 of the draft resolution she stressed any future actions undertaken by the Forum must follow due procedures and obtain the necessary approvals.

Draft decision E/2002/L.19

50. **The President** invited the Council to take action on draft decision E/2002/L.19, entitled "Second session of the Permanent Forum on Indigenous Issues". He said that a recorded vote had been requested by the delegation of the United States of America.

51. **Ms. Martholm** (Sweden), drawing attention to the programme budget implications of the draft decision in document E/2002/L.33, said that the dates of the second session had been chosen specifically to avoid incurring additional costs. She urged the Secretariat to address that problem as soon as possible.

52. **Ms. Serwer** (United States of America), speaking in explanation of vote before the vote and supported by **Mr. Blazey** (Australia), **Mr. Welsh** (United Kingdom) and **Ms. Van Ginneken** (Netherlands), said that her delegation approved of the work of the Permanent Forum on Indigenous Issues but recalled that Council resolution 2000/22 had stated clearly that the Forum should be financed from existing resources. Her delegation looked forward to continuing discussion of the issue during the General Assembly and would abstain from the vote on draft decision E/2002/L.19.

53. **Mr. Xie** Bohua (China) asked whether the programme budget implications contained in document E/2002/L.33 would automatically apply if the Council approved draft decision E/2002/L.19, or whether, if the latter was adopted and given the reservations expressed by some delegations, the programme budget implications would still be subject to review by the Fifth Committee.

54. **Ms. Starr-Newell** (Secretary of the Council) said it was her understanding that the financing measures would be reviewed by the Fifth Committee during the General Assembly.

55. *A recorded vote was taken on draft decision E/2002/L.19.*

In favour:

Angola, Argentina, Australia, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cameroon, Chile, China, Costa Rica, Croatia, Cuba, Egypt, El Salvador, Ethiopia, Fiji, Finland, Ghana, Guatemala, Hungary, Iran (Islamic Republic of), Italy, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, Zimbabwe.

Against:

None.

Abstaining:

Andorra, France, Georgia, Germany, India, Japan, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

56. *Draft decision E/2002/L.19 was adopted by 44 votes to none, with 9 abstentions.*

57. **Mr. Tomoshige** (Japan) said it was unfortunate that a recorded vote had been necessary owing to the last-minute submission of programme budget implications for holding the second session in New York rather than Geneva. Budgetary resources for 2002-2003 had been allocated on the assumption that the second session would be held in Geneva, even though no decision had as yet been taken. They could also have allowed for the possibility of a session in New York. Financing for either eventuality should be found from existing resources. His delegation had had no choice but to abstain even though it supported holding the second session in New York.

58. **Mr. Thüemmel** (Germany) emphasized his delegation's support for the Permanent Forum and said that it had abstained with great regret for a technical reason: the deplorably late submission of the programme budget implications, which had not given delegations time to discuss ways of avoiding additional costs with the Secretariat.

Draft decisions E/2002/L.20 and L.32

59. **The President** invited the Council to take action on draft decision E/2002/L.20, entitled "Permanent Forum on Indigenous Issues" and draft decision E/2002/L.32, entitled "Secretariat of the Permanent Forum on Indigenous Issues".

60. Draft decisions E/2002/L.20 and L.32 were adopted.

Recommendations contained in the report of the Permanent Forum on Indigenous Issues on its first session (E/2002/43, Parts I and II and Add.1)

61. **The President** said that, in the light of the adoption of the Swedish proposals contained in documents E/2002/L.16, L.19, L.20 and L.32, he took it the Council agreed that no action was necessary on the four draft decisions recommended by the Permanent Forum on Indigenous Issues in chapter I of document E/2002/43 (Part I).

62. *It was so decided.*

(e) United Nations High Commissioner for Refugees (*continued*) (E/2002/L.11)

Draft decision E/2002/L.11

63. **The President** invited the Council to take action on draft decision E/2002/L.11, entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees".

64. *Draft decision E/2002/L.11 was adopted.*

65. **The President** invited the Council to take note of the following documents: under sub-item (a), the report of the Secretary-General entitled "Follow-up to, and progress in, the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly" (E/2002/66), the report of the Board of Trustees of the International Research and Training Institute for the Advancement of Women on its twenty-second session (E/2002/70) and the report of the Secretary-General entitled "Situation of the International Research and Training Institute for the Advancement of Women" (A/57/129-E/2002/77); under sub-item (e), the report of the United Nations High Commissioner for Refugees (E/2002/14); under sub-item (g), the report of the Committee on Economic, Social and Cultural Rights on its twenty-fifth, twenty-sixth and twenty-seventh sessions (E/2002/22), the report of the Commission on Human Rights on its fifty-eighth session (E/2002/23 (Parts I and II) and Add.1), the report of the United Nations High Commissioner for Human Rights (E/2002/68 and Add.1); under sub-item (h), the report of the Permanent Forum on Indigenous Issues on its first session (E/2002/43 (Parts I and II) and Add.1).

66. *The Council took note of documents E/2002/66, E/2002/70 and A/57/129-E/2002/77 (sub-item (a)); E/2002/14 (sub-item (e)); E/2002/22, E/2002/23 and Add.1 and E/2002/68 and Add.1 (sub-item (g)); E/2002/43 and Add.1 (sub-item (h)).*

67. **Mr. Alaei** (Islamic Republic of Iran) and **Ms. Khalil** (Egypt) said that paragraphs 6 and 12 of Commission on Human Rights resolution 2002/36, entitled "extrajudicial, summary or arbitrary executions" (E/2002/23 (Part I), chap. II) contained references to "sexual orientation", an ambiguous and controversial term which had never been defined in any United Nations document. They opposed the use of that term and dissociated themselves from the relevant aspects of paragraphs 6 and 12.

68. **Mr. Andrabi** (Pakistan), supported by Ms. Ahmed (Sudan) and Ms. Gzllal (Libyan Arab Jamahiriya), endorsed what had been stated by the two previous speakers with respect to the term "sexual orientation". He also expressed concern that the report of the Commission had been made available only one or two days before it was due to be considered.

Operational activities of the United Nations for international development cooperation (*continued*)

(a) Progress report on the implementation of the triennial comprehensive policy review (*continued*)

Draft resolution E/2002/L.18

69. **The President** said that he had been informed by the Secretary that draft resolution E/2002/L.18, entitled "Progress on the implementation of General Assembly resolution 56/201 on the triennial policy review of operational activities for development of the United Nations system", had no programme budget implications.

70. *Draft resolution E/2002/L.18 was adopted.*

(b) Reports of the Executive Boards of the United Nations Development Programme/United Nations Population Fund, the United Nations Children's Fund and the World Food Programme (*continued*) (E/2002/11, 34 (Part I), 35, 36 and 69; E/2002/L.10; DP/2002/10; DP/2002/CRP.13)

71. **The President** invited the Council to take note of the following documents: the report of the Executive Board of the United Nations Development Programme/United Nations Population Fund on its work of 2001 (E/2001/35), the report of the Executive Board of the United Nations Children's Fund on its annual session of 2002 (extract) (E/2002/L.10), the annual reports of the Administrator of the United Nations Development Programme and the Executive Director of the United Nations Population Fund (E/2002/11), the report of the Executive Board of the United Nations Children's Fund on the work of its first regular session of 2002 (E/2002/34 (Part I)), the annual report of the Executive Director of the United Nations Children's Fund (E/2002/69), the report of the Executive Board of the World Food Programme on its 2001 sessions (E/2002/36), the annual report of the Executive Board of the United Nations Development Programme/United Nations Population Fund on its annual session of 2002 (DP/2002/CRP.13), the report of the Executive Board of the United Nations Development Programme/United Nations Population Fund on its first regular session of 2002 (DP/2002/10) and the note by the Secretary-General on the annual report of the Executive Director of the World Food Programme, 2001 (E/2002/54).

72. *The Council took note of documents E/2001/35, E/2002/L.10, E/2002/11, E/2002/34 (Part I), E/2002/69, E/2002/36, DP/2002/CRP.13, DP/2002/10 and E/2002/54.*

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*)

Draft resolution E/2002/L.15

73. **The President** said that draft resolution E/2002/L.15, entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and international institutions associated with the United Nations" had no programme budget implications. A recorded vote had been requested. He invited delegations to explain their votes.

74. **Ms. Serwer** (United States of America), reiterated her delegation's position that the Council should not be devoting its time to the issue, which was outside its competence.

75. **Mr. Chulkov** (Russian Federation) said that the Russian Federation would abstain, although it supported the right of peoples to self-determination. Consideration of such political questions only distracted the Council from its main functions.

76. **Mr. Hahn** (Observer for Denmark), speaking on behalf of the European Union and the associated countries Bulgaria, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, said that the European Union would be abstaining, since the resolution dealt with issues beyond the Council's competence.

77. *A recorded vote was taken on draft resolution E/2002/L.15.*

In favour:

Angola, Argentina, Australia, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Chile, China, Costa Rica, Cuba, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Guatemala, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Nepal, Nigeria, Pakistan, Peru, Qatar, South Africa, Sudan, Suriname, Uganda, Zimbabwe.

Against:

None.

Abstaining:

Andorra, Austria, Cameroon, Croatia, Finland, France, Georgia, Germany, Hungary, Italy, Japan, Malta, Netherlands, Republic of Korea, Romania, Russian Federation, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

78. *Draft resolution E/2002/L.15 was adopted by 33 votes to none, with 21 abstentions.*

79. **Mr. Welsh** (United Kingdom) said that, although his delegation associated itself with the statement made by the observer for Denmark on behalf of the European Union, it wished to make additional comments

concerning the sixth preambular paragraph and paragraphs 13 and 16. The rights of Non-Self-Governing Territories to participate in the proceedings of the Council and its subsidiary bodies — and in those of the specialized agencies, world conferences under United Nations auspices and the international institutions associated with the Organization — should be applied on an equal and non-discriminatory basis. Moreover, it was inappropriate for the Council and the Special Committee to discuss the political issues of the type presented in the resolution with the specialized agencies and United Nations programmes.

80. **Mr. Tomoshige** (Japan) said that, despite its support of the self-determination and independence of colonial peoples, Japan had abstained in the voting on the ground that consideration of such political items by the Council was both inappropriate and inefficient.

Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and the Arab population in the occupied Syrian Golan (*continued*)

Draft resolution E/2002/L.22

81. **The President** said that he had been informed by the Secretary of the Council that draft resolution E/2002/L.22, entitled "Economic and social repercussions Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and the Arab population in the occupied Syrian Golan", contained no programme budget implications. A recorded vote had been requested. He invited delegations to explain their votes.

82. **Ms. Serwer** (United States of America) said that her Government continued to focus on: advancing relevant plans of action on Palestinian civil reform and security; addressing the critical humanitarian situation in Palestinian areas; and restoring a political dialogue. It would continue to consult closely with the parties, with other members of the Quartet on the Middle East and with Arab leaders on how best to move forward. One-sided resolutions only undermined the credibility of the Council and did nothing to improve the situation in the region or the people they purported to assist. The Council should focus on working constructively to address Palestinian needs and to put the two parties back on the path to peace.

83. **Mr. Hahn** (Observer for Denmark), speaking on behalf of the European Union, the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey, said that a settlement would be achieved only through negotiation; there could be no military solution. The European Union wished to express its profound regret at the loss of lives of innocent Israelis and Palestinians, which included many children. Both sides had the responsibility to pave the way for a negotiated and political solution.

84. The European Union shared the vision of two States living side by side in peace and security, including an end to the occupation and the early establishment of a sovereign, viable and peaceful State of Palestine with democratic institutions. A just, viable and agreed solution should be found to the complex issues of Jerusalem and the Palestinian refugee problem.

85. The European Union also wished to express its concern at the mounting humanitarian crisis in Palestinian areas. Palestinian needs should be addressed as a matter of urgency, and safe and unfettered access assured to United Nations personnel.

86. The European Union would continue to work with the parties and its partners in the international community — especially within the Quartet and within the region — to pursue every opportunity for peace.

87. *A recorded vote was taken on draft resolution E/2002/L.22.*

In favour:

Andorra, Angola, Argentina, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cameroon, Chile, China, Croatia, Cuba, Egypt, Ethiopia, Finland, France, Germany, Ghana, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against:

United States of America.

Abstaining:

Australia, Fiji, Guatemala.

88. *Draft resolution E/2002/L.22 was adopted by 47 votes to one, with 3 abstentions.*

89. **Mr. Alaei** (Islamic Republic of Iran) said that, although his delegation supported those parts of the draft resolution which sought to improve the living conditions of the Palestinian people, it wished to express its reservations on any elements which might be construed as recognition of Israel.

90. **Mr. Tomoshige** (Japan) said that, although his delegation had voted in favour of the draft resolution, it considered the issue to be essentially political in nature and thus more appropriate to other United Nations forums. To avoid duplication, the Council should refrain from discussing the matter repeatedly.

91. **Mr. Blazey** (Australia) said that his delegation had abstained but wished to register Australia's concern at the humanitarian situation in Palestinian territory. Australia was committed to alleviating the sufferings of those affected by the violence and had just pledged US$ 1 million in humanitarian assistance to aid the latest victims. In the current biennium, it had contributed a total of US$ 10.5 million to assist Palestinian people in the occupied territory, as well as Palestinian refugees in surrounding areas. An end to the violence — including an end to the terrorist attacks and indiscriminate bombings — would do more than anything else to transform the situation in the Middle East.

92. **Mr. Chulkov** (Russian Federation) said that the Council's work on the issue should be guided by relevant General Assembly resolutions, including those confirming the inalienable right of the Palestinian people and the inhabitants of the occupied Syrian Golan to their natural resources and calling upon Israel not to exploit, annihilate or threaten those resources.

93. Recent developments in the Palestinian territory were a cause for serious concern. Both sides must show restraint and refrain from acts of violence that could be exploited by extremists and would only further exacerbate the situation.

94. In the context of a worsening humanitarian crisis, the priority was to meet the urgent needs of the Palestinians. The position of the Russian Federation was well known and was reflected, inter alia, in the ministerial declaration that had resulted from the meeting of the Quartet Committee on the Middle East, held on 16 June in New York. The Russian Federation was in favour of urgent collective measures to establish peace in the Middle East, in accordance with relevant Security Council resolutions.

95. **Mr. Mekegl** (Observer for Israel) said that Israel shared the concern at certain humanitarian problems in areas controlled by the Palestinian Authority. However, the current situation was no act of God; it stemmed, rather, from the decision of the Palestinian leadership to wage a campaign of terror against Israel. It was to be hoped, as the President of the United States of America had stated, that the Palestinians would either change their minds or change their leader. The Israeli Government, for its part, was taking steps to change the situation. It had recently pledged some $50 million to the Palestinian Authority and was allowing 7,000 Palestinian labourers to enter Israel, despite considerable terrorist risk. His delegation hoped to see a resolution of the conflict and an improved situation in the West Bank and Gaza. It was willing to do its share to that end.

96. **Ms. Barghouti** (Observer for Palestine), having welcomed the draft resolution said that the Palestinians were proud of their history and civilization and would continue struggling for their freedom. However bad the situation might be, it did not call for charity, whether from the United States of America or elsewhere. It was the responsibility of the United Nations to continue to address the issue until it was resolved. She was surprised to hear the Israeli delegation speak of terrorism, when Israel continued to commit terrorist acts against her people. Only the previous day before dawn, an Israeli F-16 plane had dropped a one-ton bomb on a three-storey building, killing 15 persons and wounding more than 150, including nine children. In addition to the human devastation caused, three homes had been destroyed.

Economic and environmental questions (*continued*)

(a) Sustainable development (*continued*)

Draft resolution E/2002/L.27

97. **Mr. Shaheed** (Maldives), introducing draft resolution E/2002/L.27, entitled "Report of the Committee for Development Policy", said that a number of revisions had been agreed. In paragraph 1, the operative verb "Welcomes" should be replaced with

the words "Takes note of". Paragraph 3 should be replaced with the following text:

> "*Urges* the international organizations and bilateral donors to continue the debate concerning the treatment of graduating countries, with a view to ensuring that the graduation of a country from the list of the least developed countries does not result in disruption to its development plans, programmes and projects, and the importance of ensuring a smooth transition from least developed country status for countries that become eligible for graduation."

In paragraph 4, the operative verb "Endorses" should be replaced with the words "Takes note of".

(d) Human settlements (*continued*)

Draft resolution E/2002/L.30

98. **Mr. Vallenilla** (Observer for Venezuela) introduced draft resolution E/2002/L.30, entitled "Coordinated implementation of the Habitat Agenda", on behalf of the Group of 77 and China.

Integrated and coordinated implementation of and follow-up to major United Nations conferences and summits (*continued*)

(b) Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010 (*continued*)

Draft resolution E/2002/L.31

99. **Mr. Aho-Glele** (Benin), introducing draft resolution E/2002/L.31, entitled "Programme of Action for the Least Developed Countries for the Decade 2001-2010", said that it was the result of intensive informal consultations.

The meeting rose at 6.20 p.m.

United Nations E/2002/SR.41

Economic and Social Council

Provisional

26 November 2002

Original: English

Substantive session of 2002
General segment

Provisional summary record of the 41st meeting
Held at Headquarters, New York, on Friday, 26 July 2002, at 3 p.m.

President: Mr. Šimonović ..... (Croatia)

Contents

Strengthening further the Economic and Social Council, building on its recent achievements, to help it fulfil the role ascribed to it in the Charter of the United Nations as contained in the United Nations Millennium Declaration (*continued*)

Special economic, humanitarian and disaster relief assistance (*continued*)

Integrated and coordinated implementation of and follow-up to major United Nations conferences and summits (*continued*)

(a) Integrated and coordinated implementation of and follow-up to major United Nations conferences and summits (*continued*)

(b) Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010 (*continued*)

Coordination, programme and other questions (*continued*)

(a) Reports of coordination bodies (*continued*)

(c) International cooperation in the field of informatics (*continued*)

Economic and environmental questions (*continued*)

(a) Sustainable development (*continued*)

(b) Science and technology for development (*continued*)

(c) Statistics (*continued*)

(d) Human settlements (*continued*)

(f) Population and development (*continued*)

(i) United Nations Forum on Forests (*continued*)

Elections, nominations and confirmations postponed from the previous session

Suspension of the session

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

02-49991 (E)

The meeting was called to order at 3.40 p.m.

Strengthening further the Economic and Social Council, building on its recent achievements, to help it fulfil the role ascribed to it in the Charter of the United Nations as contained in the United Nations Millennium Declaration (*continued*) (E/2002/62 and 73)

Agreed conclusions of the coordination segment (E/2002/L*)

1. **Ms. Myllymäki** (Finland), introducing the agreed conclusions of the coordination segment (E/2002/L*), said that they were aimed at strengthening the Council's work and enhancing its efficiency.

2. *The agreed conclusions were adopted.*

3. **The President** invited the Council to take note of the report of the Secretary-General on strengthening further the Economic and Social Council (E/2002/62) and the consolidated report of the Secretary-General on the work of the functional commissions of the Economic and Social Council (E/2002/73).

4. *The Council took note of documents E/2002/62 and E/2002/73.*

Special economic, humanitarian and disaster relief assistance (*continued*) (A/57/97-E/2002/76)

Draft resolution E/2002/L.34

5. **Mr. Buallay** (Bahrain), Vice-President, introduced draft resolution E/2002/L.34, entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations", which represented the outcome of the humanitarian segment. The text — the first of its kind in three years — had been achieved despite difficult negotiations. Action-oriented, it dealt with, inter alia, the transition from relief to development, the strengthening of existing planning tools such as the consolidated appeals process, the development of a global humanitarian financial tracking system and the protection of civilians in armed conflict.

6. **The President** said that the draft resolution had no programme budget implications.

7. **Mr. Simancas** (Mexico) said that technical revisions were required in the Spanish version of the text.

8. *Draft resolution E/2002/L.34 was adopted, on the understanding that the Spanish version would be revised.*

9. **Mr. Morikawa** (Japan), welcoming the adoption of the draft resolution by consensus, said that it would facilitate the coordination of emergency humanitarian assistance and the protection of vulnerable persons.

10. **The President** invited the Council to take note of the report of the Secretary-General on assistance to Mozambique (A/57/97-E/2002/76).

11. *The Council took note of document A/57/97-E/2002/76.*

Integrated and coordinated implementation of and follow-up to major United Nations conferences and summits (*continued*)

(a) Integrated and coordinated implementation of and follow-up to major United Nations conferences and summits (*continued*) (A/57/75-E/2002/57; E/2002/53)

Draft decision E/2002/L.28

12. **The President** invited the Council to take action on draft decision E/2002/L.28, entitled "Implementation of agreed conclusions 2001/1 of the Economic and Social Council on the role of the United Nations in promoting development, particularly with respect to access to and transfer of knowledge and technology, especially information and communication technologies, inter alia, through partnerships with relevant stakeholders, including the private sector".

13. *Draft decision E/2002/L.28 was adopted.*

14. **The President**, responding to a question put by **Mr. Maquieira** (Chile), said that he would hold consultations with the Chairman of the Second Committee of the General Assembly and the relevant Vice-President of the Council to determine the status of the draft resolution on the question of integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits and the Millennium Summit.

* To be issued.

15. He took it that the Council wished to defer further consideration of that question to its resumed substantive session.

16. *It was so decided.*

(b) Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010 (*continued*)

Draft resolution E/2002/L.31

17. **The President** invited the Council to take action on draft resolution E/2002/L.31, entitled "Programme of Action for the Least Developed Countries for the Decade 2001-2010". He announced that Andorra, Cameroon, Croatia, Denmark, El Salvador, Suriname, Uganda and United States of America had joined the list of sponsors.

18. **Ms. Kelley** (Secretary of the Council), responding to a question put by **Ms. Serwer** (United States of America), confirmed that the draft resolution had no programme budget implications.

19. **Mr. Aho-Glele** (Benin), speaking on behalf of the Group of Least Developed Countries, urged the Council to adopt the draft decision by consensus.

20. *Draft resolution E/2002/L.31 was adopted.*

Coordination, programme and other questions (*continued*)

(a) Reports of coordination bodies (*continued*) (E/2002/55)

21. **The President** invited the Council to take note of the annual overview report of the United Nations System Chief Executives Board for Coordination for 2001 (E/2002/55).

22. *The Council took note of document E/2002/55.*

(c) International cooperation in the field of informatics (*continued*) (A/57/71-E/2002/52)

Draft resolution E/2002/L.29

23. **The President** invited the Council to take action on draft resolution E/2002/L.29, entitled "The need to harmonize and improve United Nations informatics systems for optimal utilization and accessibility by all States".

24. *Draft resolution E/2002/L.29 was adopted.*

25. **The President** invited the Council to take note of the note by the Secretary-General on preparations for the World Summit on the Information Society (A/57/71-E/2002/52) transmitting a report of the Secretary-General of the International Telecommunication Union.

26. *The Council took note of document A/57/71-E/2002/52.*

Economic and environmental questions (*continued*)

(a) Sustainable development (*continued*)

Draft resolution E/2002/L.27/Rev.1

27. **The President** drew attention to draft resolution E/2002/L.27/Rev.1, entitled "Report of the Committee for Development Policy", which had been submitted by Maldives, and said that it had no programme budget implications.

28. *Draft resolution E/2002/L.27/Rev.1 was adopted.*

(b) Science and technology for development (*continued*) (E/2002/31)

Draft resolution III

29. **The President** invited the Council to resume its consideration of draft resolution III, contained in the Commission's report on its fifth session (E/2001/31) and entitled "Strengthening the work of the Commission on Science and Technology for Development". Action on the text had been deferred from the Council's 2001 session.

30. **Ms. Kelley** (Secretary of the Council) outlined the programme budget implications. On the assumption that the annualization of the sessions of the Commission on Science and Technology for Development would start during the biennium 2004-2005 and that during the current biennium the Commission would hold only its regular biennial session, in 2003, there would be no additional programme budget implications for 2002-2003.

31. The Commission on Science and Technology for Development was currently entitled to hold one session

every two years. Resource requirements entailed by an additional session every biennium would amount to $228,300 at full cost for conference servicing costs and $115,500 to cover members' travel requirements. Should the draft resolution be adopted, those resource requirements would be included under section 11A (Trade and development) of the proposed programme budget for the biennium 2004-2005.

32. **Mr. Le Gargasson** (France), speaking on behalf of the European Union, said that the European Union's position on the draft resolution remained unchanged. The Union was not convinced that an increased frequency of meetings would add to the Commission's efficiency. If action on the draft resolution could not be postponed, the European Union would call for a vote.

33. **Mr. Aguzzi-Durán** (Venezuela), speaking on behalf of the Group of 77 and China, said that General Assembly resolution 56/132 of 21 December 2001 invited the Council to consider the matter "no later" than at the current session; there was no reason for it to delay a positive decision further. Annual sessions were vital if the Commission was to keep abreast of rapid changes in the field of science and technology, in the interest of attaining Millennium development goals. Unless it met more frequently, the Commission would not be able to contribute to the first part of the World Summit on the Information Society, to be held in Geneva in December 2003.

34. **Ms. Serwer** (United States of America) said that her delegation was currently not in a position to support the draft resolution. It was concerned at the cost of annualizing the Commission's meetings and called for action on the draft resolution to be deferred.

35. **Mr. Ji** Fusheng (China), stressing the rapidity of the changes occurring in the field of science and technology, said that the Commission was the only forum in which developed and developing countries could exchange views on the challenges and benefits of new technologies. He thus urged the Council to heed the appeal made by the representative of Venezuela on behalf of the Group of 77 and China.

36. **Mr. Chulkov** (Russian Federation) said that the position of the Russian Federation was firm and accorded with the consensus opinion of the experts who were members of the Commission: it supported those advocating yearly sessions of the Commission on Science and Technology for Development. A hasty decision would not be wise, and determining the frequency of the Commission's meetings by taking a vote in the Council would not be good for the latter's authority within the United Nations system. It would be best for discussion to be postponed.

37. *A recorded vote was taken on draft resolution III.*

In favour:

Angola, Argentina, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cameroon, Chile, China, Costa Rica, Cuba, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Guatemala, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mexico, Nepal, Nigeria, Pakistan, Peru, Qatar, Russian Federation, South Africa, Sudan, Suriname, Uganda, Zimbabwe.

Against:

Andorra, Australia, Austria, Finland, France, Germany, Hungary, Italy, Malta, Netherlands, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Croatia, Georgia, Japan, Republic of Korea, Ukraine.

38. *Draft resolution III was adopted by 34 votes to 15, with 5 abstentions.*

39. **Mr. Blazey** (Australia), explaining his delegation's vote against the resolution, said that it would have been preferable to defer consideration of the issue, as no cogent reason for scheduling annual sessions of the Commission had been given, and an overstrained budget militated against increased frequency.

40. **Mr. Shin** Boo-nam (Republic of Korea) said he believed that keeping pace with technology was vital for developing countries, but lack of any substantial consultation on the issue during the session of the Council had led his delegation to abstain.

41. **Mr. Le Gargasson** (France) said that his remarks would be general comments rather than clarification of his delegation's vote. The European Union could only bow to the will of the majority of the members of the Council, but it did not think that the decision just taken would enhance the credibility of the Commission on Science and Technology for Development. The next Council session was due to emphasize the important implications of information and communication

technologies, paving the way for the World Summit on the Information Society. The United Nations Information and Communication Technologies Task Force was better placed to contribute to the preparatory process. The Commission on Science and Technology for Development had to prove that it could add value to that process. If it was unable to do so, his personal view was that its future would be uncertain.

(c) Statistics (continued)

42. **The President** said that the Council had agreed to defer taking note of the report of the Statistical Commission on its thirty-third session (E/2002/24). He invited the Council to approve the holding of the thirty-fourth session and the agenda and documents for that session.

43. **Ms. Rask Thygesen** (Observer for Denmark) said that her delegation found the agenda and dates for the next session of the Statistical Commission perfectly acceptable and, moreover, could not understand why the entire report of the Statistical Commission was not being dealt with. Since the report was a factual document, its consideration should not present any problems.

44. **Mr. Aguzzi-Durán** (Observer for Venezuela) explained that the Group of 77 and China had asked for discussion of the report of the Statistical Commission to be postponed because they took the view that it needed a wider context, including the additional background provided by the two reports on basic indicators for the follow-up of major conferences, one of which had yet to be circulated to members.

45. **The President** said he took it that the Council wished to approve the holding of the thirty-fourth session of the Statistical Commission and to approve the provisional agenda and documentation for that session.

46. *It was so decided.*

(d) Human settlements (*continued*)

47. **The President** invited the Council to take action on draft resolution E/2002/L.30/Rev.1, entitled "Coordinated implementation of the Habitat Agenda", which was without programme budget implications.

48. *Draft resolution E/2002/L.30/Rev.1 was adopted.*

(f) Population and development (*continued*)

49. **The President** drew attention to chapter I, section A, of document E/2002/25 and Corr.1 and invited the Council to take action on the draft decision entitled "Report of the Commission on Population and Development on its thirty-fifth session and provisional agenda for the thirty-sixth session of the Commission".

50. *The draft decision was adopted.*

(i) United Nations Forum on Forests (*continued*)

51. **The President** drew attention to the two draft decisions in chapter II of document E/2002/42. He invited the Council to take action on draft decision I, entitled "Date and venue of the third session of the United Nations Forum on Forests".

52. *Draft decision I was adopted.*

53. **The President** invited the Council to take action on draft decision II, entitled "Report of the United Nations Forum on Forests on its second session and provisional agenda for its third session".

54. **Mr. Aguzzi-Durán** (Observer for Venezuela) said that, following consultations between the interested parties, a proposal had been made to alter the order of items in the provisional agenda for the third session of the United Nations Forum on Forests. Item 3 (b), entitled "Progress in implementation", with its elements (i), (ii) and (iii), would become item 3 (a). The original item 3 (a), entitled "Means of implementation: finance, transfer of environmentally sound technologies and capacity-building for sustainable forest management" would become item 3 (b) and would be amended through the addition of the final phrase "as a cross-cutting issue considered in the context of item 3 (a) (i, ii, iii)". In item 4 (e), entitled "Intersessional work, including review of the reports of the ad hoc expert groups", the words "review of the reports" would be replaced with the words "further discussion on the establishment".

55. *Draft decision II, as orally amended, was adopted.*

Elections, nominations and confirmations postponed from the previous session

Commission for Social Development

56. **The President** took it that the Council wished to elect Romania by acclamation to fill the remaining vacancy in the Commission for Social Development for a four-year term beginning on 1 January 2003.

57. *It was so decided.*

Commission on the Status of Women

58. **The President** took it that the Council wished to elect Armenia by acclamation to fill the remaining vacancy in the Commission for Social Development for a four-year term beginning on 1 January 2003.

59. *It was so decided.*

Commission on Science and Technology for Development

60. **The President** took it that the Council wished to elect Bolivia by acclamation to fill the vacancy for a member from the Group of Latin American and Caribbean States for a four-year term beginning on 1 January 2003.

61. *It was so decided.*

62. **The President** took it that the Council wished to postpone the election of one member from the Group of Asian States and two members from the Group of Western European and other States for a term beginning on the date of election and expiring on 31 December 2004 and the election of three members from the Group of Western European and other States for a four-year term beginning on 1 January 2003.

63. *It was so decided.*

Committee for Programme and Coordination

64. **The President** took it that the Council wished to nominate Monaco to fill one of the three vacancies awaiting nominees from the Group of Western European and other States for election by the General Assembly for a three-year term beginning on 1 January 2003.

65. *It was so decided.*

66. **The President** took it that the Council wished to postpone the nomination of two members from the Group of Western European and other States for election by the General Assembly for a three-year term beginning on 1 January 2003.

67. *It was so decided.*

Governing Council of the United Nations Human Settlements Programme

68. **The President** took it that the Council wished to elect Burundi and Ecuador by acclamation to fill the remaining two vacancies for a four-year term beginning on 1 January 2003.

69. *It was so decided.*

Committee on Economic, Social and Cultural Rights

70. **The President** drew attention to the curriculum vitae of Ms. Chokila Iyer contained in document E/2002/L.1/Add.23. In the absence of any other nominee, he took it that the Council wished to elect Ms. Iyer by acclamation for a four-year term beginning on 1 January 2003.

71. *It was so decided.*

Executive Board of the World Food Programme

72. **The President** took it that the Council wished to elect Poland by acclamation for a three-year term beginning on 1 January 2003.

73. *It was so decided.*

Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

74. **The President** drew the attention of the Council to document E/2002/L.1/Add.25, regarding applications for membership of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals. He took it that the Council wished to endorse the decision of the Secretary-General to approve the applications from China, Denmark and Portugal for membership in the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals and the Subcommittee of Experts on the Transport of Dangerous Goods.

75. *It was so decided.*

Committee on Non-Governmental Organizations

76. **The President** took it that the Council wished to elect the Sudan to replace the Comoros for the entirety of the latter's four-year term of office, which was to have begun on 1 January 2003.

77. *It was so decided.*

Committee on Crime Prevention and Criminal Justice

78. **The President** took it that the Council wished to elect the Comoros to replace the Sudan for the entirety of the latter's three-year term of office, which was to have begun on 1 January 2003.

79. *It was so decided.*

Coordination, programme and other questions (*continued*)

80. **Mr. Briz** (Guatemala) introduced a draft resolution entitled "International Conference on Financing for Development", which had been the subject of negotiations facilitated by Mr. Rosenthal, Vice-President of the Council.

81. *The draft resolution was adopted.*

82. **Mr. Escanero** (Mexico) said that the draft resolution expressed the clarity of purpose and determination of the Council. The important political message it contained was that implementation of the commitments made at Monterrey was of paramount importance. Joint responsibility and cohesiveness would magnify the impact of those commitments.

Suspension of the session

83. **The President** announced that since consideration of a number of issues had been deferred during the current substantive session of the Council a resumed substantive session would be held in the autumn of 2002.

84. **Mr. Civili** (Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs) said that the Council's substantive session had yielded a solid outcome that was in line with the expectations of the Millennium Summit and the follow-up to the International Conference on Financing for Development.

85. **The President** said that each of the segments of the substantive session had achieved concrete goals. The session had taken place at a time when the United Nations system was closely focused on the Millennium development goals, and at a crucial juncture in major United Nations conferences, between the Monterrey Conference and the Johannesburg Summit. In the light of those considerations, it had sought to take a holistic approach to following up such major conferences, and the number of senior figures present at the high-level segment, from ministers to representatives of civil society, had been testament to its success in achieving that approach.

86. There was a pressing need for a large number of disjointed issues to be given a common focus and direction, and the Council had taken seriously its coordination role, holding its first meeting with the heads of its functional commissions, tackling new issues such as gender mainstreaming and the least developed countries, and concentrating attention on implementation of the Millennium development goals.

87. When he had opened the session, he had remarked that its success would depend not on the number of resolutions it adopted, but on the effect that it ultimately had on the lives of ordinary people. One important example of the advances made was the establishment of the Ad Hoc Advisory Group on African Countries Emerging from Conflict.

88. After the customary exchange of courtesies, **the President** declared the substantive session of the Council suspended.

The meeting rose at 5.10 p.m.